

**TOWN OF NEWTOWN**  
**Firearms Ordinance 128**  
**(First Adopted by the Legislative Council of the Town of Newtown August 7, 1991**  
**as Ordinance 71, amended September 17, 2003.)**

---

**Sec. 128-1. Purpose:**

The purpose of this Ordinance is to regulate the discharge of Firearms in the Town of Newtown.

**Sec. 128-2. Definitions:**

- a. Backstop: A device constructed to stop, redirect, and or contain bullets fired on a range.
- b. Birdshot: a type of shotgun ammunition typically used for bird hunting
- c. Clay Pigeon Shooting: The activity of shooting a Firearm up into the air at special flying targets, known as clay pigeons or clay targets, provided that the activity is in full compliance with all other federal, state and local laws.
- d. Firearm: Any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged.
- e. School: Any boarding, day or night school or college, including one conducted by the Town of Newtown or State of Connecticut, in which full time academic instruction is offered for one or more grades.
- f. Sportsman's Organization: A group of individuals or association of individuals with centralized management, meetings or associated for activities including discharge of Firearms, approved by the Board of Selectmen and Chief of Police as exempt from this Ordinance.

**Sec. 128-3. Exceptions:**

- a. The Provisions of this Ordinance shall not apply to a peace officer, as defined in Section 53a-3(9) of the Connecticut General Statutes, when acting within the scope of his/her duties.
- b. The provisions of this Ordinance shall not apply to hunting as defined in Section 26-1(12) of the Connecticut General Statutes, as the same may be amended from time to time.
- c. The provisions of this Ordinance shall not apply to The Pequot Fish and Game Club, Newtown Fish and Game Club, Fairfield County Fish and Game Protective Association or any Sportsman's Organization...
- d. The use of Birdshot for the purpose of Clay Pigeon Shooting shall be exempt from the requirement to use a Backstop per section 128-5(c) of this Ordinance.

- e. The provisions of this Ordinance shall not apply to the use of Firearms when acting to defend himself or herself or a third person from physical force or nuisance animal control in a manner consistent with all federal, state and local laws.

#### **Sec. 128-4. Safety Practices**

- a. Persons participating in the discharging of a Firearm must be the owner of the property the discharge is taking place on, an invited guest of the owner who is present, or have written permission from the property owner.
- b. Persons discharging a Firearm shall comply with all applicable federal, state and local laws concerning the possession and discharge of Firearms, and possess and carry, or be supervised by an individual who possesses and carries, one or more of the following:
  - 1. Connecticut hunting license.
  - 2. Connecticut Certificate of possession.
  - 3. Connecticut permit to carry pistols or revolvers.
  - 4. Connecticut Long Gun Eligibility Certificate.
  - 5. A certificate issued after successfully completing a course approved by the Connecticut Commissioner of Emergency Services and Public Protection in the safety and use of Firearms including, but not limited to, (i) a safety training course in the use of Firearms available to the public offered by a law enforcement agency, a private or public educational institution or a Firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Energy and Environmental Protection and (ii) a safety or training course in the use of Firearms conducted by an instructor certified by the state or the National Rifle Association.
- c. Persons not possessing a license or certificate as provided in subsection (b) above may be permitted to discharge a Firearm provided they are supervised at all times by a person licensed or certified as provided in subsection (b) above and are in compliance with all applicable federal, state and local laws concerning the possession and discharge of Firearms. No more than four (4) such unlicensed or uncertified persons may participate in shooting under the supervision of a person so licensed or certified at the same time.
- d. No more than one Firearm may be fired at a time by any group of individuals engaged in discharging Firearms as permitted under this Ordinance.
- e. Firearms not in use shall be unloaded and safely stowed.

#### **Sec. 128-5. Regulations**

- a. No person shall discharge a Firearm before 8 A.M. or after sunset.
- b. Any person who wishes to discharge a Firearm must notify the Newtown Police Department by telephone of their intent to discharge a Firearm fifteen (15) minutes prior to beginning such activity. Fifteen (15) minutes after the time of the

- phone call as recorded in the Newtown Police log shall begin a four (4) hour window in which such activity will be allowed on the subject property each day.
- c. A natural or manmade Backstop sufficient to contain the projectiles from the Firearm being discharged with a minimum height of ten (10) feet above the top of the intended target is required.
  - d. It is prohibited to discharge a Firearm within 500 feet of any building occupied by people or domestic animals, unless written permission for lesser distances is obtained from the owner of such building and carried with the person discharging the Firearm. The provisions of this section shall not apply to owners, owners' spouses or owners' lineal descendants when discharging a Firearm within 500 of buildings owned by them, but shall apply when said persons are discharging a firearm within said distances of buildings not so owned.
  - e. It is prohibited to discharge a Firearm in the direction of any visible building occupied by people or domestic animals unless written permission is obtained from the owner of such building and carried with the person discharging the Firearm.
  - f. Targets that may induce a secondary reaction including, but not limited to, exploding targets, fuel canisters, and Tannerite are prohibited.
  - g. Discharging a Firearm across property boundaries is prohibited unless contiguous properties are owned by the person discharging the Firearm, or written permission is obtained from the contiguous property owner.
  - h. Discharging a Firearm on or into property owned by the Town of Newtown is prohibited.
  - i. Discharge of Firearms is prohibited within ½ mile of any School during regular school hours.

#### **Sec. 128-6. Penalties for Offenses.**

Any violation of this Ordinance shall constitute an offense and be punishable by a fine of \$99.00 per offense.

#### **Sec. 128-7. Appeal Procedure**

If a person who is issued a citation does not make an uncontested payment of the fine(s), penalties, costs, or fees due for non-compliance as specified by the Citation to the Town, they shall adhere to the procedure in the "Code of the Town of Newtown" Section 132-10, Appeals Procedure, sections B-E.

---

This Ordinance shall become effective on the \_\_\_\_\_ day, of \_\_\_\_\_, 2013, upon action by the Legislative Council and notice of publication in a local newspaper.

SIGNED ON \_\_\_\_\_ day, this \_\_\_\_\_ month of 2013.

BY \_\_\_\_\_  
Mary Ann Jacob, Chair Legislative Council Ordinance Committee

BY \_\_\_\_\_  
Jeffrey Capecci, Chair, Legislative Council